

490 North Meridian Road Kalispell, MT 59901

Decision Notice Pine Grove Pond Fishing Access Site Addition Acquisition October 17, 2013

Proposal

The 13-acre Pine Grove Pond Fishing Access Site (FAS) was donated to Montana Fish, Wildlife & Parks (FWP) in December 2010. Located 3 miles northeast of Kalispell near the Whitefish River, the site has become very popular for family fishing, sustaining more than 30,000 visitor days in 2013. The FAS is currently separated from the Whitefish River by a narrow strip of private property. The land is signed but unfenced, so trespass has been an issue for those wishing to reach the river. A larger property, including that strip of land, went into foreclosure and reverted to the Whitefish Credit Union. The Credit Union was approached and agreed to donate the strip of land on the condition it remain largely undeveloped and closed to public motorized use. Acceptance of the donation of the property would allow public access to the Whitefish River for floating and fishing and would allow weed control to complement management on the FAS.

Agency Authority For Proposed Action

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop, and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the FAS program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection of fees and charges for the use of state park system units and FASs and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and FASs.

Montana Environmental Policy Act (MEPA) Process

A draft environmental assessment (EA) was released on September 24, 2013, for 21 days of public comment through October 15, 2013. A total of ten comments (four electronic, one verbal and five written) were received. All comments were in favor of accepting the donation. Nine comments noted this would be a good addition to the FAS. One comment noted this would improve floating access on the Whitefish River. The adjacent landowner, who donated the existing FAS, identified the availability of the parcel and encouraged the Credit Union to donate the parcel.

Decision

This acquisition would provide needed access to the Whitefish River for floating and fishing, with 1,800 feet of river bank. This acquisition would provide for integrated weed control to better manage the FAS. This very generous offer by the Whitefish Credit Union adds value to an already popular and outstanding fishing access site. Therefore it is my recommendation to accept donation of the 5.39-acre Pine Grove Pond FAS Addition. Based on public and internal review, the draft EA will be adopted as the final EA.

Date: October 17, 2013

James R. Satterfield Jr., Ph.D.

James R. Sattafield, J.

Regional Supervisor